# City of Detroit

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To: The Honorable City Council

From: David Whitaker
        Analine Powers
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Date: June 30, 2005

Re: Report on Police Lawsuit Activity, 2000-2004

An analysis has been done on the Police Lawsuit Activity for the period January 1987 through December 2004. Previous reports have covered data up to December 31, 1999.[1] This Report will focus, primarily, on the new data from January 1, 2000 through December 31, 2004. Where appropriate, references will be made to the whole 18-year time period and to specific years prior to 2000. Definitions for the terms found in the narrative and within the tables and how the calculations were done can be found in Exhibit A.

The police lawsuit database has grown to such an extent that a manual counting of the data for each table has become virtually impossible. Currently in the database, we have 2,511 individual cases and 6,209 entries in the police information table. The amount of time required and the potential for human error when dealing with such a large database prohibits manually preparing the tables for the report. Consequently, it was necessary to automate the process of generating the tables needed for the report. One may notice that a comparison of previous reports with

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[1] The history of this project and the various problems associated with it have been emphatically enumerated in previous reports to Council. One problem with the data continues. The raw data for 1994 is missing. As a result, for some of the tables and charts in this Report the data for 1994 is missing or entered as zero. The numbers that do appear for 1994 are a direct carry over from previous reports. Attempts are currently underway to reconstruct that missing data from hardcopies made during the preparation of previous reports.

the current report will yield different numbers for many of the years in the tables that appeared in those previous reports. This is due to the fact that the database has been refined to accurately reflect the conversion and automation processes that have occurred.

It also should be noted that despite our best efforts to acquire them, there are dozens of cases missing from the database. Most are from 2004 but some of the missing information goes back a couple of years. The result is that all numbers are lower than they would be if all cases were included in the database. Hopefully, for the next report, the missing information will be obtained and the numbers adjusted accordingly.

Council should be aware that not included in the amounts mentioned in this report are pre-litigation claims: i.e. potential lawsuits that are settled prior to the start of litigation. These are claims initiated by a claim letter addressed to the Law Department in which a potential plaintiff states his or her complaint against the City. Therefore, the actual amount of money paid out by the City to resolve police misconduct cases could be higher.

Portions of this report cover a period of time during which the City of Detroit has been operating under a consent decree stemming from an action filed by the United States Department of Justice against the Detroit Police Department. As a result of the decree numerous steps have and are being taken to address a number of the underlying substantive issues that the numbers in this report reflect. To date, the monitor overseeing the City's compliance with the decree has produced seven quarterly reports that provide some updates as to the progress the Police Department is making in these areas. In an effort to assist in quantifying the risk to the city from the misconduct reflected in this report, the Research & Analysis Division (RAD) will summarize the City's efforts as reflected in the monitor's reports at some future date.

Overall summary of findings for the eighteen-year period of time:

♦ The **total amount of money** paid out for police lawsuit settlements for this 18-year period is **$188,290,411.**[2] The settlements include pre-trial agreements, court-ordered evaluative mediations, arbitration facilitations, and judgments.
♦ The **total number of cases** brought before Council in this 18-year period is **3,034.** Of those 3,034 cases, **1,762 were for settlement requests** and **1,512 were requests for representation.** The total number of settlements plus the total number of representation requests does not equal the total number of cases because some cases came before the City Council for both representation and settlement in the same year.

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[2] This report does not reflect an analysis of police misconduct cases that resulted in voluntary or involuntary dismissals, verdicts for no cause of action or cases where the City ultimately prevailed on appeal.

- The **average pay out** for these lawsuits over the 18-year period is **$106,862 per settled case**.
- The total amount of money paid out for settlement cases that involved one or more officers who have been involved in at least one other lawsuit (referred to as **"Repeaters"**) for this 18-year period is **$111,404,969**. This represents **60%** of the total amount of money paid out by the City.
- The number of cases involving repeaters for this time period is 1,785 or 60% of the total cases for the18-year period. 47% (839 cases) were requests for representation and 60% (1,075 cases) were settlement approvals. Some officers had multiple requests for representation or multiple cases for settlement approvals during this time period, often during the same year.
- The 3,034 cases that have appeared before City Council over the 18-year period involved **3,511 named officers**. Many of these named officers appear in multiple cases so this figure does not represent 3,511 different individuals. Of the 3,511 named officers, **1286 (58%) represent Repeaters.**
- In 2004, **332** named officers, with alleged police misconduct, were involved in cases that came before the City Council. This represents the highest number of repeater officers in the 18-year period that Council has been tracking.
- From 1999 through 2004, there was a significant increase in cases brought before Your Honorable Body in which at least one of the named officers has been involved in more than one lawsuit.

I. ANALYSIS OF TABLES

Table 1: "Police Law Cases Appearing Before Council By Year and Reason" -- Exhibit B

This table shows the general data for lawsuits involving police officers.

Total Numbers:
- The total number of law cases involving Detroit Police officers brought before City Council from January 1987 through December 2004 was 3,034. Of this number the years 1995 – 1998 reflect a significant decrease from prior and subsequent years. As there is a time lag between the alleged misconduct and the filing of a lawsuit the period represented by those figures should be further analyzed to determine what actions were being taken by the City to result in such a noticeable decrease.
- Mediation and arbitration approvals data began to be captured around the year 2000. Through 2004, City Council has approved 50 mediation case evaluations/arbitrations
- The total for case appearances before Council from January 1987 through December 2004 was 3,126. Appearances before Council include the

following: (1) requests for representation; (2) requests to enter into arbitration or into a mediation range; (3) arbitration/mediation approvals; (4) requests for settlement. As such, total appearances numbers will always be greater than case numbers. Not all cases have appeared for each of the four possible reasons to appear.

Requests For Representation Versus Settlements:

- ◆ Of the 3,034 cases before Council, 1,512 were requests for representation and 1,762 appeared for settlement approval. Requests for settlement include any cases that involve money paid out for settlements, judgments and mediation awards.
- ◆ There are cases that appear before Council for a request for representation that have multiple officers named in the lawsuit. Occasionally, the officers named in the lawsuit do not appear at the same time for representation approval. The case may come back multiple times in the same year for representation approval for different officers named in the suit. These cases are accounted for under the title Same Year Representation Request (SYRR in the tables). Over the 18-year period, this has occurred 42 times.
- ◆ Cases also can appear for both a representation request and for a settlement approval in the same year. Over the 18-year period, this has occurred 241 times.

Cost For Settlements:

- ◆ The total amount of money paid out for the 1,762 settlement approvals was $188,290,411. This represents an average payout of $106,862 per case.
- ◆ The most expensive year for settlement cost was 2004 when $22,148,900 was paid out for 131 cases. The next most expensive year was 1990 when $16,433,974 was paid out for 84 cases while the least expensive year was 1989 when only $2,131,853 was paid out for 63 settlements.

Million Dollar Settlements:

- ◆ Million dollar settlements are found in Table 13, "Cases Approved For One Million Dollars or More", Exhibit C.
- ◆ Over the 18-year period, there have been 33 cases approved by Council for a million dollars or more for a dollar amount of $78,661,308.
- ◆ The most expensive year was 2004 when 3 cases cost the City $12,980,000 ($5,500,000; $4,500,000; $2,980,000). This figure represents 59% of the total $22,148,900 paid out in that year for 131 settlement requests.
- ◆ The most expensive case was in 1991 for $6,250,000. The other two cases in that year were for $2,134,900 and $1,300,000. Another expensive year was 1992 with 2 cases: $4,200,000 and $2,343,000.
- ◆ In 2001, there was only one case in this category at $4,500,000.

Table 2: "Cases Involving Police Officers With A History of Lawsuits" -- Exhibit D

This table shows data for cases in which repeaters have been involved in two or more lawsuits. In the narrative, these individuals are often referred to as "repeaters".

General:
- In the 18-year period of this report, the number of cases with at least one named officer involved in two or more lawsuits is 1,785
- Of these 1,785 cases, 838 were requests for representation and 1,075 were settlement approvals.
- In 1999, the number of cases with at least one repeater almost doubled from previous years. Since then, the numbers have remained high; from a low of 119 cases per year to a high of 212 cases per year.

Cos*t For Settlements:*
- The 1,075 repeater cases approved for settlement over this 18-year period cost the City $111,404,969, which averages to $103,633 per case. This represents 60% of the total amount of money approved by Council for all police lawsuit settlements over this 18-year period.
- During the 18-year period, the year in which the highest sums were approved was 1999 when $11,108,534 for 78 cases was approved, averaging $142,417 per case.
- The highest average cost per case, however, was in 1991 at $239,852 average cost per case for the 32 cases approved for settlement.

Table 3: "Percent of Cases Involving Police Officers With A History of Lawsuits Compared With Total Cases" -- Exhibit E

This table is a percentage comparison of lawsuits in which at least one of the named police officers has been involved in two or more lawsuits with all police lawsuits.

Total Numbers:
- For the 18-year period of this report, 59% of the cases brought before Council involved at least one named officer who had been involved in multiple lawsuits.
- From 1995 through 2004, these cases have ranged from the low 60's percentile to the upper 70's percentile. The highest being in 2002 when these repeater cases represented 77% of all the cases.

Money Amounts:
- For this 18-year period, 61% of the settlement approvals were for cases with at least one named repeater. This represents 59% of the total amount of money approved for settlement.

- In 1997, 66% of the total requests for settlements were for repeater cases but this represented 85% of the total amount of money approved for that year.
- In 2004, there was a significant drop in the amount of money paid out for repeater cases relative total cases. While 79% of the requests for settlement involved cases with at least one officer with a history of lawsuit involvement, this represented only 35% of the total amount of money paid out.

Table 4: "Number of Individual Officers Involved in Multiple Cases By Year" -- Exhibit F

This table shows data for the number of individual officers who have been named in more than one lawsuit. It does not deal with case counts.

Total Numbers:
- In the last 18 years, 3,511 police officers have been named in lawsuits against the City of Detroit.
- Of these 3,511 named officers, 1,286 individuals (37%) have been involved in multiple lawsuits.
- The column entitled, "Number of Named Repeater Officers", shows the number of individual repeater officers named in each of the years reported. The total number listed in the "All" row is 2,397 because of multiple year entries for the same repeater officers. The total named repeater officers will always be less than the "All" entry for number of named repeaters.
- The column entitled, "Repeater Officers with Representation Requests and Settlement Requests in the Same Year", is a count related to individuals not to cases. Consequently, a police officer could have come before Council for a representation request and for a settlement approval in the same year but not necessarily for the same case. Likewise, s/he could have been named in a case that appeared before Council in the same year for both representation and for settlement.
- In 2004, 332 police officers, which have been involved in multiple lawsuits, were named in cases that came to Council. Of those 331, 226 officers requested representation and 182 were named in cases that came for settlement approval. This is the highest number of repeater officers named in any one year in cases that came before Council and in requests for representation. In fact, the other highest years, 2000, 2002, and 2003 saw 221, 217, and 256 repeater officers named in cases that came to Council. The 332 repeater officers in 2004 represent a 30% increase over 2003 and a 53% increase over 2003.
- Also significant is the number of named repeaters who requested representation in 2004. The 226 named repeater officers represents a 78% increase over the previous year when only 127 repeater officers requested representation.

- The number of repeaters named in cases that came for settlement in 2002, 2003, and 2004 was significantly higher than any previous years. In fact, the 186 officers in 2003 is 55% greater than the previous high year of 2000 when 120 repeater officers appeared before Council in cases requesting settlement.
- The number of repeaters requesting representation has increased steadily over the last 18 years from 3 requests in 1987 to 228 such requests in 2004.

Money Amounts:

- In the 18 years this data represents, Council has approved $111,404,969 for settlement of cases involving at least one police officer with a history of multiple lawsuits.
- Of those settled cases, $67,760,347 was paid for cases in which multiple officers were named and at least one of those officers had been named in previous lawsuits.
- For cases in which there was only one officer named and that officer had a history of lawsuits, Council approved $43,644,622 for settlement of those cases. The year in which the most amount of money was paid out in this category was 2001 when $6,267,150 was approved

Table 5.1: "Number Of Cases Per Year By Year Incident Occurred – Representation Requests" And
Table 5.2: "Number Of Cases Per Year By Year Incident Occurred – Settlement Approvals" -- Exhibit G

Tables 5.1 and 5.2 are an analysis of the lag time between when an incident that generates a lawsuit occurred and the time it takes to appear before Council.

- Table 5.1 displays the data for length of time between the occurrence of a lawsuit generating incident and when the case appears before Council for representation request.
- Table 5.2 displays the data for length of time between the occurrence of a lawsuit generating incident and when the case appears before Council for settlement approval.
- Continuing the trend, it still takes 2 to 4 years between the time an incident occurs and when it appears before Council, either for representation request or for settlement approval.

Table 6: "Number Of Cases Involving At Least One Officer Named in 3 or More Lawsuits" -- Exhibit H

Table 6 shows data for officers who have been named in 3 or more lawsuits. The columns of primary interest in this table are 7, "Cases With At Least 1 Repeater Named in 3 Or More Suits"; column 8, "Percent of Total Cases Before Council"; and column 9, "Percent of Cases With Repeaters".

- ◆ The year with the greatest number of cases with at least 1 officer named in 3 or more lawsuits was 2004 with 158 cases, or 56% of the total cases before Council and 75% of the cases with at least one repeater.
- ◆ In 2002, 60% of all the cases that appeared before Council had at least one officer who had been named in 3 or more lawsuits. This figure, in turn, represented 81% of cases for that year in which at least one named officer had been named in at least one other lawsuit.

Table 7: "Number Of Cases That Came Before Council for Representation Requests With At Least One Officer Named in 3 or More Lawsuits" -- Exhibit I

Table 7 shows data for officers who have been named in 3 or more lawsuits that came before Council for representation requests. Column 4 is the primary point of interest in this table.

- ◆ Since 2000, about 50% of the total number of cases requesting representation has included at least one named officer who has been involved in 3 or more lawsuits.
- ◆ Likewise, since 2000, 68% to 74% of cases with at least one repeater requesting representation have included at least one named officer who has been involved in 3 or more lawsuits. While the percentage of total cases represented by those officers has decreased, the number of cases involving those officers has increased.
- ◆ In the past three years there has been a steady increase in the number of cases seeking representation involving at least one repeater. The number of cases involving repeaters named in 3 or more lawsuits has nearly doubled, jumping from 66 cases in 2003 to 131 in 2004. Likewise there has been a significant increase in the number of repeaters named in 3 or more lawsuits.

Table 8: "Number Of Cases That Came Before Council for Settlements With At Least One Officer Named in 3 or More Lawsuits" -- Exhibit J

Table 8 shows data for officers who have been named in 3 or more lawsuits whose cases came before Council for settlement approval. Column 4 is the primary point of interest in this table.

- In the 18-year time period for this data, 686 cases have come to Council for approval that have included at least one police officer who was named in 3 or more lawsuits. This represents 39% of the total cases that have come before Council in this time period for settlement approval.
- Since 2001, cases appearing before Council for settlement approval in which at least one named officer has been involved in 3 or more lawsuits have accounted for 61% to 65% of the total number of cases requesting settlement approval.

Table 12: "Number of Officers by Number of Cases"

Number of Officers In Database	Number of Cases In Which They Are Named
2,225	1
686	2
304	3
147	4
61	5
32	6
18	7
11	8
10	9
7	10
2	11
5	12
1	17
1	24
1 (John Doe cases)	120

Note: Each officer is counted only once for the highest number of cases in which s/he is named.

This table is designed to show the number of cases in which officers in the database have been named.

♦ The database contains a total of 3,422 named individuals. Of these, 2,142 have been named in only one lawsuit while 1,280 have been named in two or more lawsuits.
♦ Of the 1,280 named individuals, 8 have been involved in 10 lawsuits; 2 in 11 lawsuits; 6 in 12 lawsuits; 1 in 17 lawsuits; and 1 in 24 lawsuits.
♦ 600 officers have been named in 3 or more lawsuits
♦ All cases in which the officer is not named or unknown are treated as John Doe. John Doe is counted as any other name for this purpose.

CORRECTION: In preparation for the July 26, 2005 discussion with Council, mathematical inconsistencies were found in the text associated with Table 12. The text below has been changed to correspond with the data referenced in Table 12.

This table is designed to show the number of cases in which officers in the database have been named.

♦ The database contains a total of 3,511 named individuals. Of these, 2,225 have been named in only one lawsuit while 1,286 have been named in two or more lawsuits.
♦ Of the 1,286 named individuals, 7 have been involved in 9 lawsuits; 2 in 11 lawsuits; 5 in 12 lawsuits; 1 in 17 lawsuits; and 1 in 24 lawsuits.
♦ 600 officers have been named in 3 or more lawsuits.
♦ All cases in which the officer is not named or unknown are treated as John Doe. John Doe is counted as any other name for this purpose.

II. CONCLUSIONS AND COMMENTARY

Table 1, Chart 1:

Total Settlement Amounts
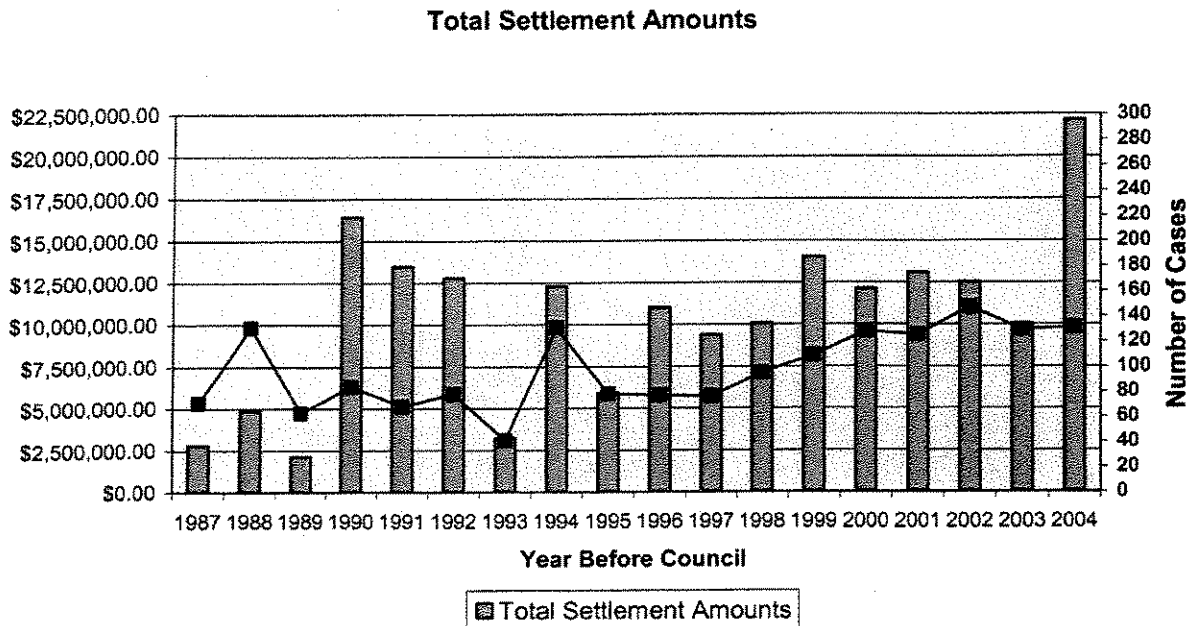
The above chart is a graphic representation of the amount of money approved by Council for the settlement of lawsuits against the City of Detroit involving Detroit police officers. The 1990 spike of $16.4 million is far eclipsed by the $22.1 million paid out in 2004. Both of these years had high million dollar plus payouts for case settlements. A discussion of the million dollar plus cases can be found with Table 13, Chart 1, later in the narrative.

Overlaid on the amount of money paid out for each year is the number of cases approved for settlement in that year. As you can see, the relationship between the number of cases and the amount paid out in any one year does not necessarily correspond. This is due to the million dollar settlements that alter the expected relationship between number of settlements and amount of money paid out. For example, in 2003 there were 129 settlement approvals and in 2004 there were 131 settlement approvals. Yet, in 2003, $10 million was approved while in 2004, $22 million was approved.

Table 1, Chart 2:

Appearances Before Council
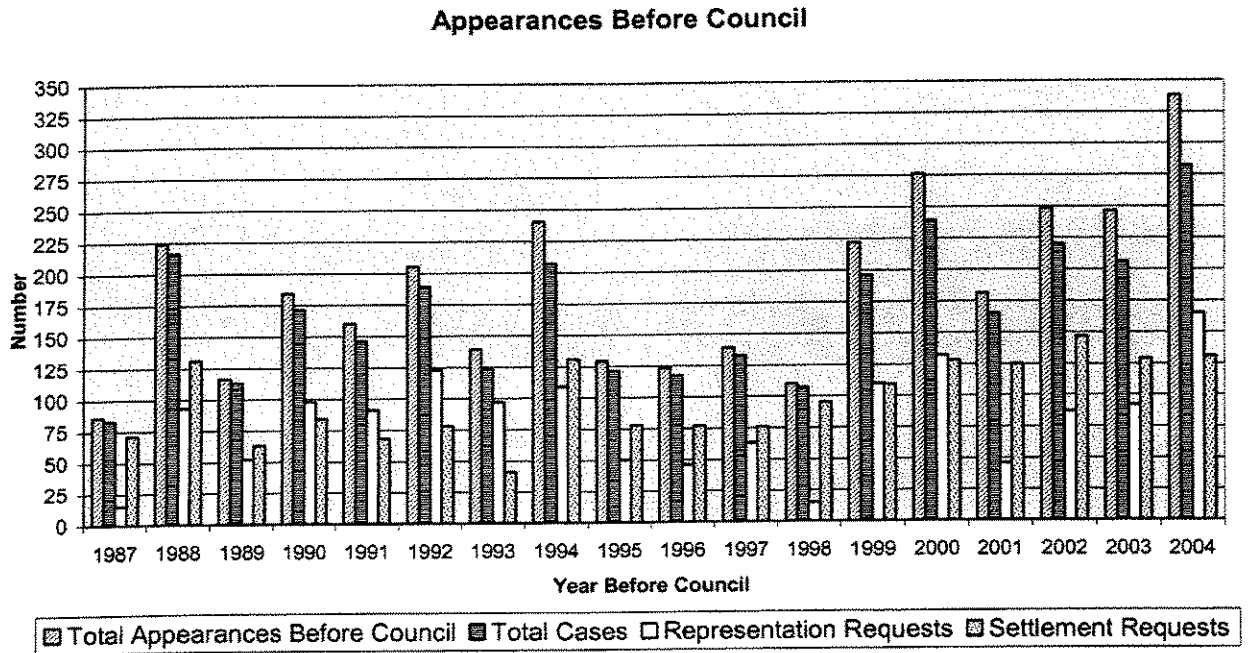
This chart graphically represents the appearances of cases before City Council. Lawsuits appear before Council for representation requests, settlement approval requests, to approve the mediation or arbitration amount range, and approval for mediation or arbitration amount. This chart does not include an individual breakdown for mediation/arbitration related appearances since the number for each is very small compared to representation requests and settlement approvals. Those numbers are included, however, in the total appearances bar. A complete explanation of each of the appearances can be found in Exhibit A.

There is a clear jump in Appearances Before Council in 2004. This is reflected in Total Cases as well as Requests for Representations and Settlement Requests. Based upon past trends, the high number of Representation Requests in 2004 will be followed by a spike in settlement requests in two or three years.

Table 2, Chart 1:

Officers With A History Of Lawsuits

Legend:
- Repeater Appearances Before Council
- Repeater Cases
- Repeater Representation Requests
- Repeater Settlement Requests

X-axis: Year Before Council (1987–2004)
Y-axis: Case Count
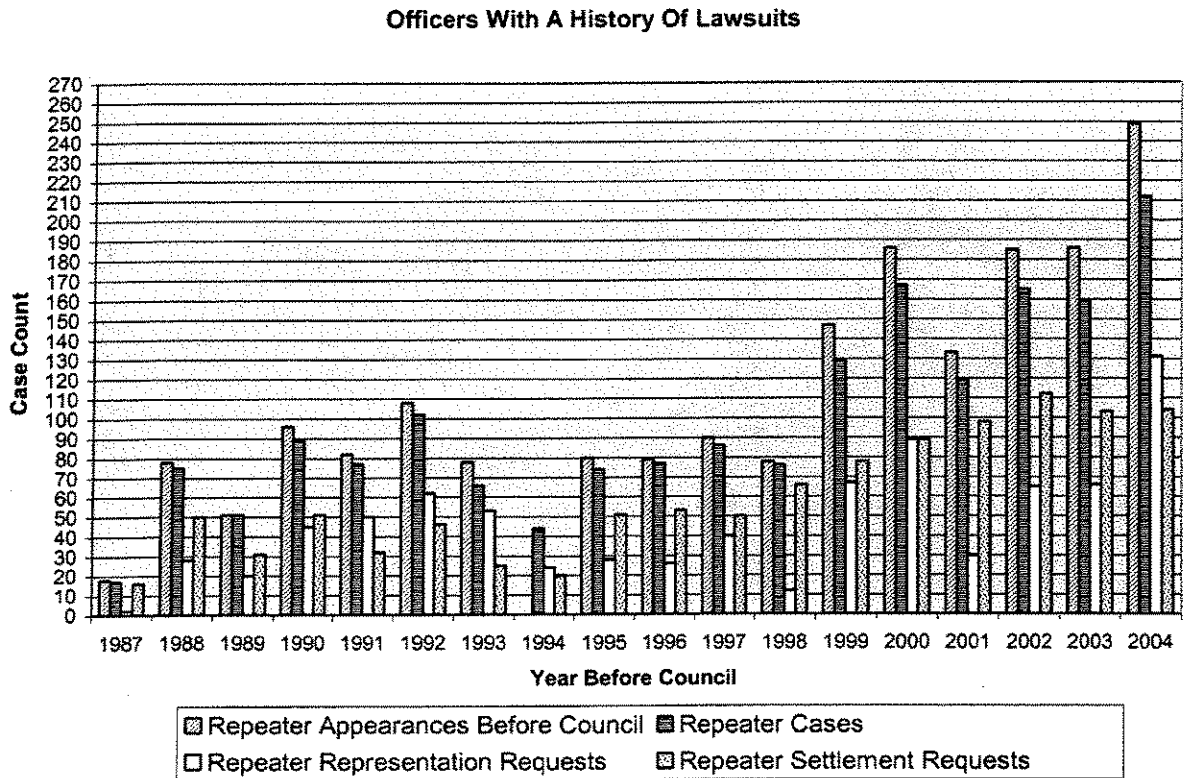
This chart tracks the appearances before Council by police officers that have been involved in more than one lawsuit. As you can see, there has been a significant increase, since 1999, in each of the four categories represented in the chart. The only exception noted is representation requests by repeaters in 2001.

The spike in Appearances Before Council in 2004, discussed above with "Table 1 Chart 2", can be attributed, at least in part, to a similar spike in all categories in 2004 for officers with a history of lawsuits (repeaters). The highest number of Total Cases and Requests for Representation by repeaters in the 18-year time period occurred in 2004. This would indicate that the problems associated with officers named in multiple lawsuits is not only continuing but doing so at an accelerated rate since 1999.

Table 2, Chart 2:

Settlement Requests and Payout Trends: General vs Repeaters
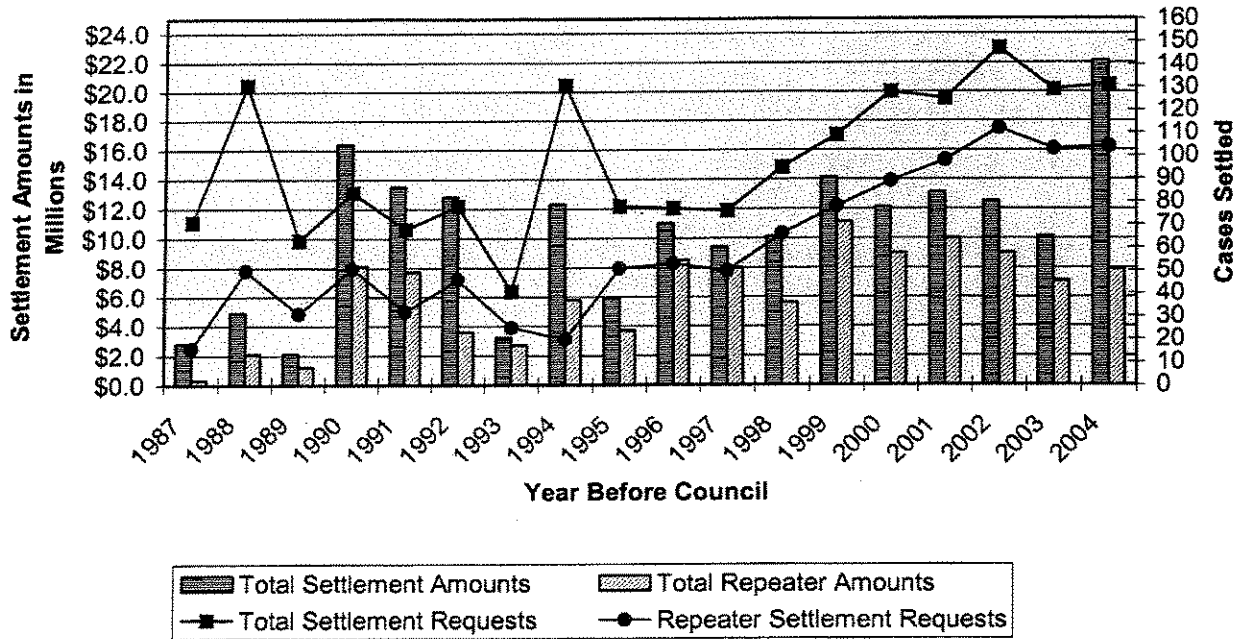
This chart is an overlay comparison of total settlement amounts with total repeater amounts and total settlement approval requests with repeater settlement approval requests. The bars in the chart represent settlement amounts. The lines represent settlement requests.

Except for 1994, the year of static (i.e. numbers in the Tables for which there is no raw data to update existing or new fields in the current or future reports) data, there is a corresponding relationship between Total Settlement Requests and Repeater Settlement Requests. They both rise or fall together.

There is no corresponding relationship between Total Settlement Amounts and Total Repeater Amounts. In some years they rise together in other years they do not. This is probably due to the million dollar plus settlements associated with repeaters or with non-repeaters in any given year.

Table 4, Chart 1:

Individuals With A History of Lawsuits
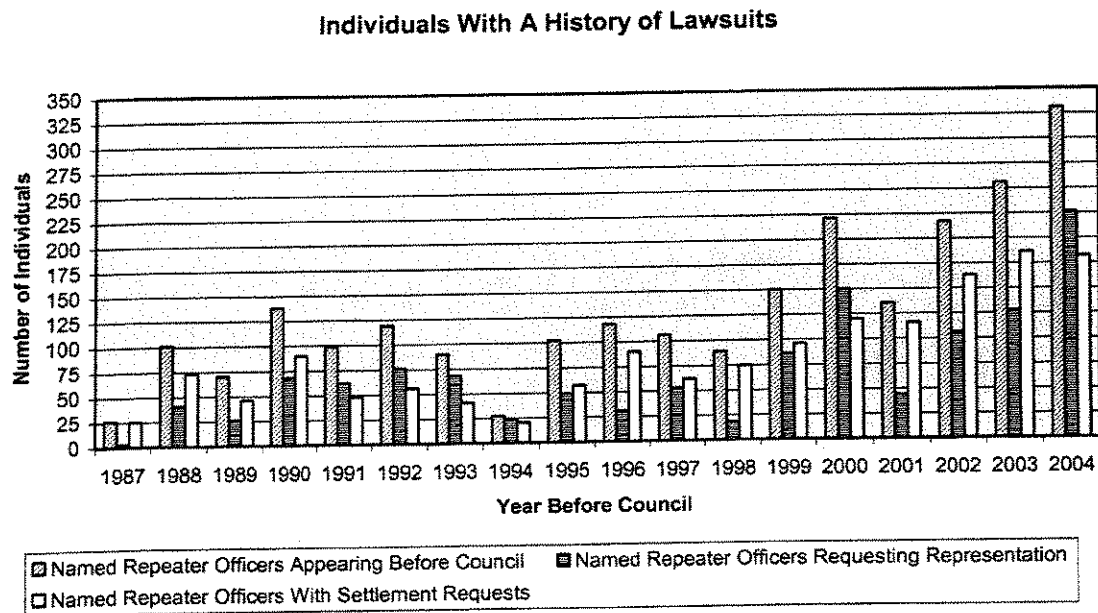
This chart shows the overall increase in the number of appearances before Council by police officers with more than one lawsuit for both representation requests and for cases that came for settlement approval. The spike in representations requests for 2004 would indicate that 2005-2006 will bring a significant increase in settlement approval requests in the next few years.

Additionally, over time, there has been a definite increase in the number of police officers who have been involved in more than one lawsuit appearing before Council. The last 4 years show a steady increase in appearances, especially for representation requests. Settlement approval requests have also increased over the last 4 years but not as dramatically as between 2003 and 2004.

Table 4, Chart 2:

Settlement Amounts for Officers With a History of Lawsuits
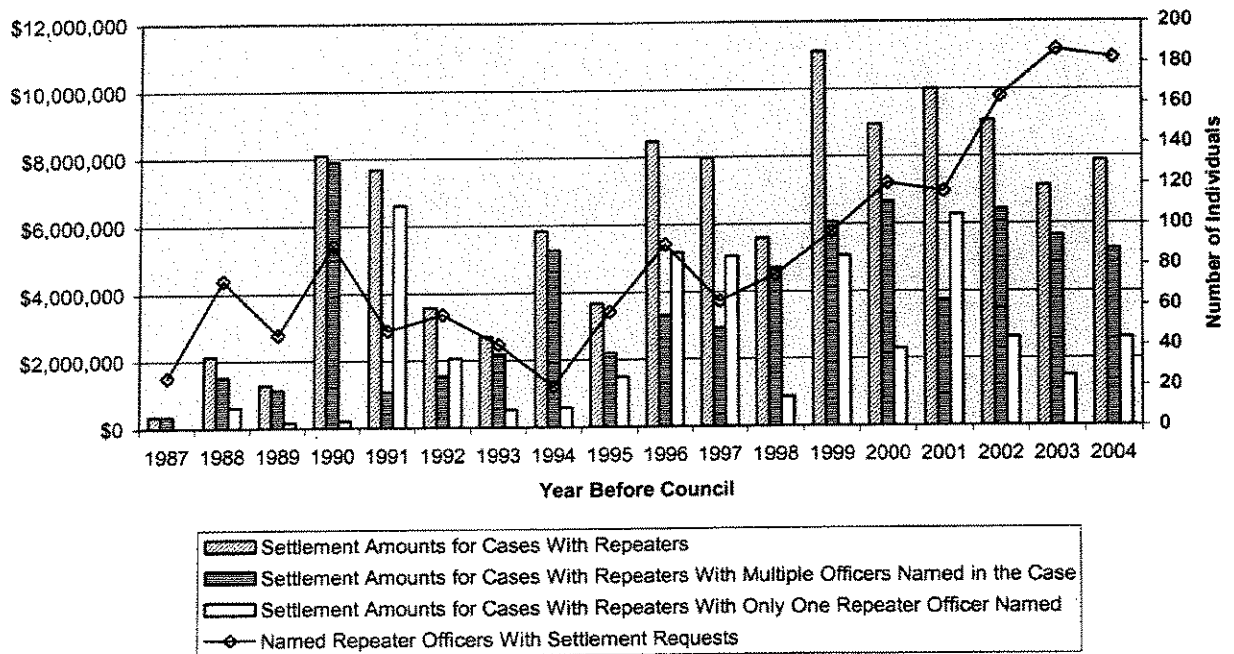
This chart shows the settlement amounts for repeaters: either as one of multiple named officers or as the only officer named in the case. **Overlaid** on this is the number of individual repeater officers in cases requesting settlement for that year.

The upward trend in Settlement Requests made by officers with a history of lawsuit involvement is quite obvious. In 2000, 120 officers named in two or more lawsuits had cases that came to Council for settlement approval. In 2004, that number increased to 183. This represents a 52% increase in four years. Likewise, we see a even greater increase of 94% from the 62 officers in 1997 to the 120 officers in 2000. Comparing the 1997 numbers with the 2004 numbers yields a 194% increase in the number of named officers involved in two or more lawsuits who had cases that came to Council for settlement approval.

Comparing settlement amounts for repeaters named with other officers in a lawsuit with cases in which the repeater is the only officer named, indicate that settlement amounts tend to be much higher when multiple officers are involved.

Tables 6, 7, and 8, Chart 1:

Repeaters Named In Three or More Cases

Chart legend:
- Cases With At Least 1 Repeater Named in 3 or More Lawsuits
- Cases Requesting Representation With At Least 1 Repeater Named in 3 or More Lawsuits
- Cases Requesting Settlement With At Least 1 Repeater Named in 3 or More Lawsuits
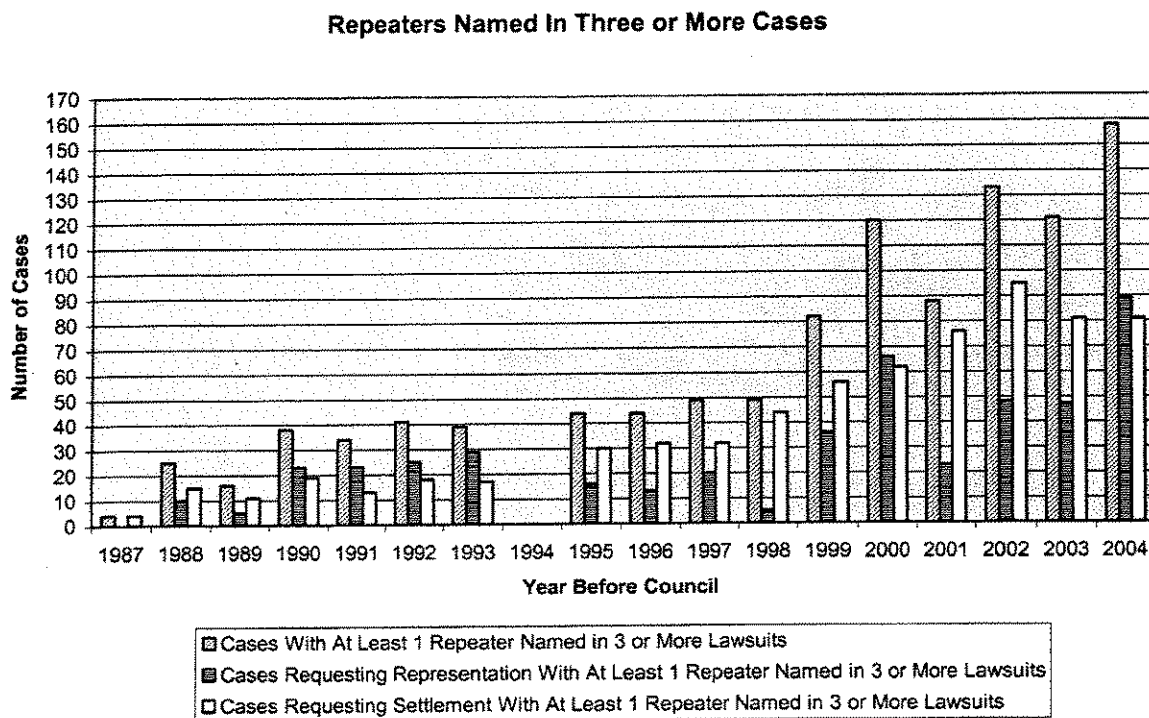
This chart shows the increase in cases appearing before Council for representation requests or settlement approvals of case involving officers who have been named in 3 or more lawsuits.

Up to and including the year 1998, there were 50 or few cases per year that appeared before Council with at least one police officer who had been named in three or more lawsuits. In 1999, that number jumped up to 82 (68% increase). By 2004 the number of officers named in three or more lawsuits with cases appearing before Council had increased to 158. This represents a 93% increase over 1999 and a 223% increase over 1998.

This chart graphically displays that one of the major causes of lawsuits against police officers are those individuals within the Department who have a history of three or more lawsuits against them. As we saw in Table 12, "Number of Officers by Number of Cases", located above, 600 individual officers in this database have been named in 3 or more lawsuits.

Table 13, Chart 1:

Million Dollar Settlements Increase
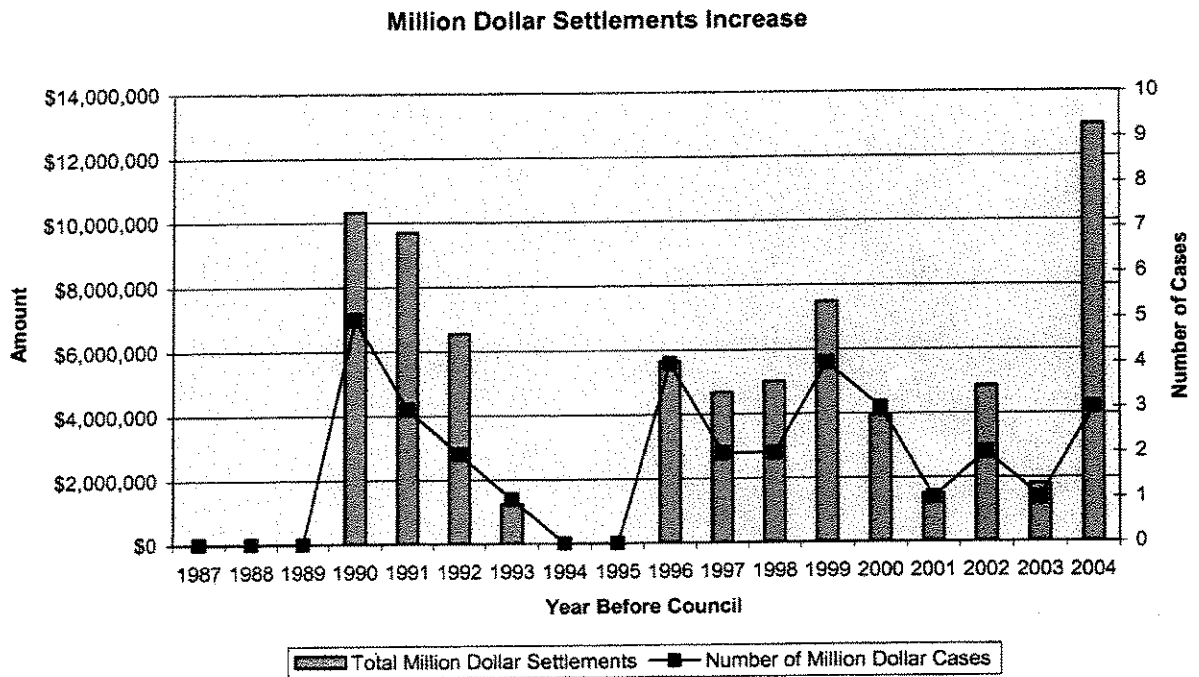
This chart shows the number of million dollar settlement cases and the amounts paid out for them by year. **Overlaid** on these bars is the number of corresponding cases.

During 2004, the City had three multimillion-dollar settlements: $5.5, $4.5, and $2.9. All three of these cases involved the death of individuals due to scout car accidents. In the case of the $5.5 million dollar settlement, the police officer was convicted of two counts of negligent homicide and sentenced to 3 years probation.

The five multimillion-dollar settlements in 1990 totaled $10,324,000 and included charges of wrongful death, excessive force, false arrest, and wrongful shooting. Exhibit C has a complete listing of the million dollar-plus settlements by year.

SUMMARY

What is patently obvious from only a cursory review of the preceding charts and graphs is that there is a rather significant correlation between the category of officers termed 'repeaters' in this report and the amount the City pays in lawsuit settlements. Therefore the City, either through its present efforts with the DOJ, independently or through its Risk Management Council should affirmatively and aggressively address the core problems that this report speaks to.

A

Reasons for Appearances Before Council and How They Are Defined and Counted:

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┌─────────────────┐      ┌─────────────────┐      ┌─────────────────┐
│  Representation │      │   Settlement    │      │      Date       │
│    Requests     │      │    Requests     │      │     Range       │
└─────────────────┘      └─────────────────┘      └─────────────────┘
   │   │   │                  │   │   │                   │
┌──────┐ ┌──────┐ ┌──────┐ ┌──────┐ ┌──────┐     ┌──────┐ ┌──────┐
│Counted│ │Counted│ │      │ │Counted│ │Counted│    │Counted│ │Counted│
│  in   │ │  in   │ │ Both │ │  in   │ │  in   │    │  in   │ │in Date│
│ Rep   │ │Appears│ │      │ │Settle │ │Appears│    │Appreas│ │ Range │
│ Reqs  │ └──────┘ └──────┘ │ Reqs  │ └──────┘    └──────┘ └──────┘
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┌──────┐        ┌──────────┐ ┌──────────┐
│ SYRR │        │ Counted  │ │Counted in│
└──────┘        │ in Both  │ │Appearences│
   │            └──────────┘ └──────────┘
┌──────┐ ┌──────────────┐
│Counted│ │ Counted in   │
│  in   │ │  Apprears    │
│ SYRR  │ │minus 1 for each│
└──────┘ │    case      │
         └──────────────┘
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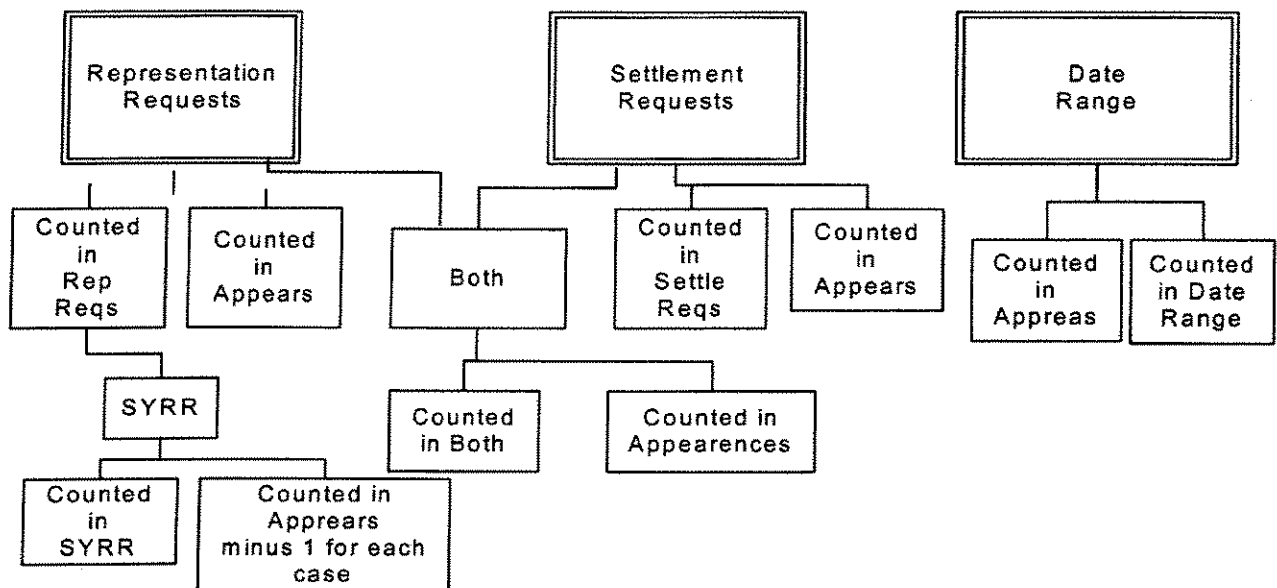
DEFINITIONS/COUNTING:

Representation Requests: Cases before Council for representation approval. Counted once for each case by year.

Settlement Requests: Cases before Council for approval to settle. Counted once for each case by year.

Approval to Mediate or Arbitrate (Date Range field): The date the case appeared for Council to approve the mediation or arbitration amount range. Counted once for each case by year

Same Year Representation Request (SYRR): Multiple appearances for the same case for representation requests in the same year. Counted once for each different date in the year. Minus 1 for each case for Appearances counted.

Same Case Same Year For Representation and Settlement (Both field): representation request and settlement request in the same year for the same case. Counted once. Subtract number from case total to get total cases for year.

Appearances: includes representation requests, settlement requests, SYRR, date range, and approval for mediation or arbitration amount. Counted once for each but −1 for each case in SYRR total.

Cases: Counted once for representation requests, settlement requests, and date range. Subtract "Both" number.

Example: 20 cases.

Rep req =	12
Settlement reqs =	8
Both=	4
SYRR=	4 (3 cases with 7 occurrences: 7-3 = 4)
Range=	4
Appearances=	28

Cases:
$$\begin{array}{l} 12 \text{ rep} \\ \underline{+08} \text{ settle} \\ 20 \\ \underline{-4} \quad \text{both} \\ 16 \\ \underline{+4} \text{ range} \\ \textbf{20 cases} \end{array}$$ **and minus for any case that has range <u>and</u> entry in rep and settle**

Appearances:
$$\begin{array}{l} 12 \text{ rep} \\ 8 \text{ settle} \\ 4 \text{ range} \\ \underline{4} \text{ SYRR} \\ \textbf{28 appearances} \end{array}$$

B

Table 1 - Police Law Cases Appearing Before Council by Year and Reason

Year Before Council	Total Appearances Before Council	Total Cases	Approvals to Mediate /Arbitrate	Requests for Repres.	% of Total Cases	SYRR	Same Case Same Year For Representation and Settlement	Requests for Settlement	% of Total Cases	Total Cost for Settlements	Cost per Case
1987	86	83	0	15	18%	0	3	71	86%	$2,814,653	$39,643
1988	224	216	0	93	43%	0	8	131	61%	$4,880,054	$37,252
1989	116	113	0	52	46%	1	2	63	56%	$2,131,853	$33,839
1990	184	171	0	98	57%	2	11	84	49%	$16,433,974	$195,643
1991	160	146	0	91	62%	1	13	68	47%	$13,470,470	$198,095
1992	205	189	0	124	66%	3	13	78	41%	$12,778,300	$163,824
1993	139	123	0	97	79%	1	15	41	33%	$3,228,700	$78,749
1994	0	207	0	109	44%	0	0	131	56%	$12,305,365	$93,934
1995	129	121	0	50	41%	1	7	78	64%	$5,911,810	$75,792
1996	123	117	0	46	39%	0	6	77	66%	$10,997,956	$142,831
1997	139	133	0	63	47%	0	6	76	57%	$9,376,469	$123,375
1998	110	107	0	15	14%	0	3	95	89%	$10,064,125	$105,938
1999	222	196	0	110	56%	3	23	109	56%	$14,019,134	$128,616
2000	276	239	5	132	55%	11	25	128	54%	$12,116,101	$94,657
2001	181	165	7	48	29%	1	13	125	76%	$13,058,978	$104,472
2002	248	220	10	87	40%	4	22	147	67%	$12,527,025	$85,218
2003	246	206	15	97	47%	5	28	129	63%	$10,026,544	$77,725
2004	338	282	13	185	66%	9	43	131	46%	$22,148,900	$169,076
ALL	3126	3034	50	1512	50%	42	241	1762	58%	$188,290,411	$106,862

C

Table 13 – Cases Approved For One Million Dollars Or More

Year Settled	Total Cases Before Council For Settlement		Cases with Million Dollar or More Settlements		Cases Approved for Million Dollar Arbitrations		Cases Approved for Million Dollar Mediations		Cases Approved for Million Dollar Judgements	
	Number of Cases Before Council	Amount Paid	Number of Cases Before Council	Amount Paid	Number of Cases Before Council	Amount Approved	Number of Cases Before Council	Amount Approved	Number of Cases Before Council	Amount Approved
1987	71	2,814,653	0	0	0	0	0	0	0	0
1988	131	4,880,054	0	0	0	0	0	0	0	0
1989	63	2,131,853	0	0	0	0	0	0	0	0
1990	84	16,433,974	5	10,324,000	0	0	0	0	0	0
1991	68	13,470,470	3	9,684,900	0	0	0	0	0	0
1992	78	12,778,300	2	6,543,000	0	0	0	0	0	0
1993	41	3,228,700	1	1,225,000	0	0	0	0	0	0
1994	0	0	0	0	0	0	0	0	0	0
1995	78	5,911,810	0	0	0	0	0	0	0	0
1996	77	10,997,956	4	5,651,145	0	0	0	0	0	0
1997	76	9,376,469	2	4,675,000	0	0	0	0	0	0
1998	95	10,064,125	2	5,000,000	0	0	2	1,700,000	1	3,400,000
1999	109	14,019,134	4	7,475,715	0	0	4	6,975,715	0	0
2000	128	12,116,101	3	3,950,000	0	0	1	1,100,000	0	0
2001	125	13,058,978	1	4,500,000	0	0	0	0	0	0
2002	147	12,527,025	2	4,852,548	0	0	0	0	0	0
2003	129	10,026,544	1	1,800,000	0	0	1	1,800,000	0	0
2004	131	22,148,900	3	12,980,000	0	0	2	7,480,000	0	0
ALL	1631	175,985,047	33	78,661,308	0	0	10	19,055,715	1	3,400,000

D

Table 2 - Cases Involving Police Officers With a History of Lawsuits

Year Before Council	Appearances Before Council	Total Cases	Mediation/ Arbitration Approvals	Requests for Repres.	% of Total Cases	SYRR	Same Case Same Year For Representation and Settlement	Requests for Settlement	% of Total Cases	Total Cost for Settlements	Cost per Case
1987	18	17	0	2	12%	0	1	16	94%	$343,053	$21,441
1988	78	75	0	28	37%	0	3	50	67%	$2,131,300	$42,626
1989	51	51	0	20	39%	0	0	31	61%	$1,275,915	$41,159
1990	96	89	0	45	51%	0	7	51	57%	$8,106,774	$158,956
1991	82	77	0	50	65%	0	5	32	42%	$7,675,270	$239,852
1992	108	102	0	62	61%	0	6	46	45%	$3,580,800	$77,843
1993	78	66	0	53	80%	0	12	25	38%	$2,694,450	$107,778
1994	0	44	0	24	55%	0	0	20	45%	$5,828,400	$291,420
1995	80	74	0	28	38%	1	5	51	69%	$3,671,848	$71,997
1996	79	77	0	26	34%	0	2	53	69%	$8,468,175	$159,777
1997	90	86	0	40	47%	0	4	50	58%	$7,971,469	$159,429
1998	78	76	0	12	16%	0	2	66	87%	$5,581,675	$84,571
1999	147	129	0	67	52%	2	16	78	60%	$11,108,534	$142,417
2000	186	167	3	89	53%	5	13	89	53%	$8,938,101	$100,428
2001	133	119	5	30	25%	0	12	98	82%	$9,997,678	$102,017
2002	185	165	7	65	39%	1	17	112	68%	$9,052,375	$80,825
2003	186	159	13	66	42%	4	19	103	65%	$7,120,752	$69,134
2004	249	212	9	131	62%	5	30	104	49%	$7,858,400	$75,562
ALL	1924	1785	37	838	47%	18	154	1075	60%	$111,404,969	$103,633

E

Table 3 - Percent Of Cases Involving Police Officers With A History of Lawsuits Compared With Total Case

Year Before Council	Appearances Before Council	Total Cases	Mediation/ Arbitration Approvals	Request for Repres.	SYRR	Same Case Same Year For Representation and Settlement	Requests For Settlement	Total Cost for Settlements
1987	21%	20%	0%	13%	0%	33%	23%	12%
1988	35%	35%	0%	30%	0%	38%	38%	44%
1989	44%	45%	0%	38%	0%	0%	49%	60%
1990	52%	52%	0%	46%	0%	64%	61%	49%
1991	51%	53%	0%	55%	0%	38%	47%	57%
1992	53%	54%	0%	50%	0%	46%	59%	28%
1993	56%	54%	0%	55%	0%	80%	61%	83%
1994	0%	21%	0%	22%	0%	0%	15%	47%
1995	62%	61%	0%	56%	100%	71%	65%	62%
1996	64%	66%	0%	57%	0%	33%	69%	77%
1997	65%	65%	0%	63%	0%	67%	66%	85%
1998	71%	71%	0%	80%	0%	67%	69%	55%
1999	66%	66%	0%	61%	67%	70%	72%	79%
2000	67%	70%	1%	67%	45%	52%	70%	74%
2001	73%	72%	1%	63%	0%	92%	78%	77%
2002	75%	75%	1%	75%	25%	77%	76%	72%
2003	76%	77%	1%	68%	80%	68%	80%	71%
2004	74%	75%	1%	71%	56%	70%	79%	35%
ALL	62%	59%	1%	55%	43%	64%	61%	59%

F

Table 4 - Number of Individual Officers Involved in Multiple Cases by Year

Year Before Council	Number of Named Repeater Officers	Number of Appearances Before Council by Repeater Officers	Number of Named Repeater Officers With Mediation or Arbitration Apporvals	Number of Named Repeater Officers With Requests for Representation	Repeater Officers with Representation Requests and Settlements in the Same Year	Repeater Officers with Settlement Requests	Settlement Amounts for Cases with Repeaters	Settlement Amounts for Cases with Repeaters with Multiple Officers	Settlement Amounts for Cases with Only One Repeater
1987	26	33	0	3	2	25	$343,053	$343,053	$0
1988	101	123	0	41	13	73	$2,131,300	$1,515,700	$615,600
1989	70	76	0	26	2	46	$1,275,915	$1,118,915	$157,000
1990	138	172	0	68	20	90	$8,106,774	$7,900,774	$206,000
1991	99	117	0	62	11	48	$7,675,270	$1,064,270	$6,611,000
1992	119	145	0	76	13	56	$3,580,800	$1,527,400	$2,053,400
1993	90	113	0	68	19	41	$2,694,450	$2,167,750	$526,700
1994	27	44	0	24	0	20	$5,828,400	$5,250,000	$578,400
1995	102	119	0	49	4	57	$3,671,848	$2,188,548	$1,483,300
1996	118	133	0	31	3	90	$8,468,175	$3,309,130	$5,159,045
1997	106	126	0	53	9	62	$7,971,469	$2,925,730	$5,045,739
1998	89	108	0	18	4	75	$5,581,675	$4,707,725	$873,950
1999	150	216	0	86	32	96	$11,108,534	$6,052,774	$5,055,760
2000	221	328	0	150	49	120	$8,938,101	$6,651,850	$2,286,251
2001	136	198	0	44	24	116	$9,997,678	$3,730,528	$6,267,150
2002	217	336	0	106	52	163	$9,052,375	$6,428,048	$2,624,327
2003	256	370	0	127	57	186	$7,120,752	$5,637,252	$1,483,500
2004	332	478	0	227	78	183	$7,858,400	$5,240,900	$2,617,500
ALL	2307	3235	0	1259	392	1547	$111,404,969	$67,760,347	$43,644,622

G

TABLE 5 - NUMBER OF CASES PER YEAR BY YEAR INCIDENT OCCURED - REPRESENTATION REQUESTS

Incident Year by Year Before Council	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05
1987	1	1	0	1	2	1	3	4	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1988	0	0	0	1	1	3	7	17	37	20	6	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1989	0	0	0	1	0	3	2	5	10	16	11	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1990	0	0	0	0	1	2	0	2	10	19	29	28	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1991	0	0	0	1	0	2	0	1	2	3	20	29	32	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1992	0	1	0	0	0	0	0	1	1	1	6	21	51	33	6	0	0	0	0	0	0	0	0	0	0	0	0	0
1993	0	0	0	0	1	0	0	0	0	0	2	9	17	34	29	4	0	0	0	0	0	0	0	0	0	0	0	0
1994	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1995	0	0	0	1	0	0	0	0	0	0	1	0	0	2	8	9	19	10	0	0	0	0	0	0	0	0	0	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	3	16	16	9	0	0	0	0	0	0	0	0	0
1997	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	3	8	24	20	7	0	0	0	0	0	0	0	0
1998	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	4	5	0	0	0	0	0	0	0	0
1999	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	13	23	38	27	3	0	0	0	0	0
2000	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	4	17	27	44	26	9	0	0	0	0
2001	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6	16	10	12	1	0	0	0	0
2002	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	5	15	27	28	8	1	0	0	0
2003	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6	24	23	12	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	1	14	40	45	49	12	2	0
ALL	1	2	0	5	6	11	12	30	62	59	76	91	106	72	45	20	45	72	75	89	109	104	112	83	62	12	2	0

H

TABLE 5 - NUMBER OF CASES PER YEAR BY YEAR INCIDENT OCCURED - SETTLEMENTS

Incident Year by Year Before Council	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05
1987	5	1	5	12	8	12	17	7	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1988	6	2	4	7	8	26	33	23	17	3	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1989	1	0	0	1	3	2	7	16	17	9	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1990	1	1	2	3	0	2	3	8	20	17	2	4	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1991	0	0	0	1	2	3	2	1	7	9	19	24	5	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1992	0	0	0	1	0	0	0	1	2	9	14	16	26	5	1	0	0	0	0	0	0	0	0	0	0	0	0	0
1993	0	0	1	1	0	0	0	1	1	3	2	4	19	11	12	2	0	3	3	0	0	0	0	0	0	0	0	0
1994	0	0	0	0	0	0	0	0	0	0	0	0	0	22	18	16	8	4	0	0	0	0	0	0	0	0	0	0
1995	0	0	0	0	0	0	0	0	0	0	0	5	3	18	16	23	36	33	25	13	10	0	0	0	0	0	0	0
1996	0	0	1	0	0	0	1	0	2	0	1	0	2	8	29	33	18	11	3	0	0	0	0	0	0	0	0	0
1997	0	0	1	1	0	0	0	0	0	0	0	0	0	17	16	17	20	33	9	0	0	0	0	0	0	0	0	0
1998	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13	25	36	38	13	0	0	0	0	0	0	0	0
1999	0	0	0	0	0	0	0	0	0	0	0	0	1	8	18	33	34	39	38	10	0	0	0	0	0	0	0	0
2000	0	0	1	0	0	0	0	0	0	1	0	0	0	4	11	17	33	39	32	19	4	0	0	0	0	0	0	0
2001	0	0	0	0	0	0	0	0	1	0	1	0	0	0	3	9	20	34	32	22	3	0	0	0	0	0	0	0
2002	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	4	29	48	39	19	2	0	0	0	0	0	0	0
2003	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	11	37	35	31	9	2	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	8	9	26	38	33	12	2	0	0	0	0	0
ALL	13	4	13	27	21	45	63	58	71	51	53	61	56	34	49	59	79	110	98	109	131	145	126	91	44	14	2	0

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I

Table 6 – Number of Cases Involving At Least One Officer Named in 3 or More Lawsuits

Year Before Council	Appearances Before Council	Total Cases Before Council	Rptr Apps Before Council	Total Cases with Repeaters	Percent of Total Cases with Repeaters	Cases with At Least 1 Repeater Named in 3 or More Suits	Percent of Total Cases Before Council	Percent of Cases with Repeaters	Percent of Appearances Before Council	Percent of Rptr Apps Before Council
1987	86	83	18	17	20%	4	5%	24%	5%	22%
1988	224	216	78	75	35%	25	12%	33%	11%	32%
1989	116	113	51	51	45%	16	14%	31%	14%	31%
1990	184	171	96	89	52%	38	22%	43%	21%	40%
1991	160	146	82	77	53%	34	23%	44%	21%	41%
1992	205	189	108	102	54%	41	22%	40%	20%	38%
1993	139	123	78	66	54%	39	32%	59%	28%	50%
1994	0	207	0	44	21%	0	0%	0%	0%	0%
1995	129	121	80	74	61%	44	36%	59%	34%	55%
1996	123	117	79	77	66%	44	38%	57%	36%	56%
1997	139	133	90	86	65%	49	37%	57%	35%	54%
1998	110	107	78	76	71%	49	46%	64%	45%	63%
1999	222	196	147	129	66%	82	42%	64%	37%	56%
2000	275	239	186	167	70%	120	50%	72%	44%	65%
2001	181	165	133	119	72%	88	53%	74%	49%	66%
2002	248	220	185	165	75%	133	60%	81%	54%	72%
2003	246	206	186	159	77%	121	59%	76%	49%	65%
2004	338	282	249	212	75%	158	56%	75%	47%	63%
ALL	3125	3034	1924	1785	59%	1085	36%	61%	35%	56%

J

Table 7 – Number of Cases That Came Before Council for Representation Requests With At Least One Officer Named in Three or More Lawsuits

Year Before Council	Total Number of Cases Requesting Representation	Total Number of Cases Requesting Representation with At Least One Repeaters	Total Number of Cases Requesting Representation with At Least One Repeater Named in 3 or More Suits	Percent of Total Number of Cases Requesting Representation	Percent of Cases with At Least One Repeater Requesting Representation
1987	15	2	0	0%	0%
1988	93	28	10	11%	36%
1989	52	20	5	10%	25%
1990	98	45	23	23%	51%
1991	91	50	23	25%	46%
1992	124	62	25	20%	40%
1993	97	53	29	30%	55%
1994	109	24	0	0%	0%
1995	50	28	16	32%	57%
1996	46	26	13	28%	50%
1997	63	40	20	32%	50%
1998	15	12	5	33%	42%
1999	110	67	36	33%	54%
2000	132	89	66	50%	74%
2001	48	30	23	48%	77%
2002	87	65	48	55%	74%
2003	97	66	47	48%	71%
2004	185	131	89	48%	68%
ALL	1512	838	478	32%	57%

K

Table 8 – Number of Cases That Came Before Council For Settlements With At Least One Officer Named in Three or More Lawsuits

Year Before Council	Total Number of Cases Requesting Settlement	Total Number of Cases Requesting Settlement with At Least One Repeaters	Total Number of Cases Requesting Settlement with At Least One Repeater Named in 3 or More Suits	Percent of Total Number Cases Requesting Settlement	Percent of Cases with At Least One Repeater Requesting Settlement
1987	71	16	4	6%	25%
1988	131	50	15	11%	30%
1989	63	31	11	17%	35%
1990	84	51	19	23%	37%
1991	68	32	13	19%	41%
1992	78	46	18	23%	39%
1993	41	25	17	41%	68%
1994	131	20	0	0%	0%
1995	78	51	30	38%	59%
1996	77	53	32	42%	60%
1997	76	50	32	42%	64%
1998	95	66	44	46%	67%
1999	109	78	56	51%	72%
2000	128	89	62	48%	70%
2001	125	98	76	61%	78%
2002	147	112	95	65%	85%
2003	129	103	81	63%	79%
2004	131	104	81	62%	78%
ALL	1762	1075	686	39%	64%